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Docket CR9-97-092-US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

October 20, 2004

In re application of M. Kasichainula et al.

Serial Nbr: 09/692,990

Filed: October 20, 2000

For: Method and Apparatus for Remotely Running Objects using Data Streams
and/or Complex Parameters

Art Unit: 2126

Examiner: Sue X. Lao

LETTER REGARDING NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Letter is in reply to the Notice of Non-Compliant Amendment mailed on September 28, 2004. The following timeline explains recent events in this case:

- Applicants submitted an Amendment on March 5, 2004, responding to the Office Action mailed on December 5, 2003. This is a Divisional case, containing Claims 16 - 27 of parent application 08/931,979 (now U. S. Patent 6,567,861). Claims 1 - 15 were never present in this Divisional case, as they remained with the parent. According to the guidelines for Revised Amendment Practice dated July 30, 2003, page 9, "A claim listing

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must include [t]he claim number of every claim ever presented in the application ...”

(emphasis added). Because Claims 1 - 15 were never present in this Divisional application, the Amendment submitted on March 5, 2004 did not contain a statement saying “Claims 1 - 15 (canceled)”.

- A Notice of Non-Compliant Amendment dated March 9, 2004 was created by the Legal Instruments Examiner. However, neither Applicants nor Applicants’ representatives received this amendment until August 5, 2004: on that date, the Patent Examiner contacted the undersigned, and the Patent Examiner transmitted a copy to the undersigned by facsimile.
- The Amendment submitted on March 5, 2004 was revised to include the statement “Claims 1 - 15 (canceled)”. This revised Amendment was submitted on August 24, 2004 (with Remarks explaining why the statement was originally omitted).
- Also submitted on August 24, 2004 was a copy of the originally-transmitted Amendment from March 5, 2004, along with its auto-reply facsimile transmission receipt.
- The original Notice of Non-Compliant Amendment (dated March 9, 2004) was mailed on September 28, 2004.
- The undersigned Applicants’ representative contacted the Patent Examiner on October 6, 2004, and explained that a response to this Notice of Non-Compliant Amendment had already been submitted. The Patent Examiner stated that the response papers are in the file, but do not show as being matched with the Notice. The Patent Examiner therefore suggested that the response papers be resubmitted.
- Responsive to this suggestion, Applicants are resubmitting (1) the original Amendment

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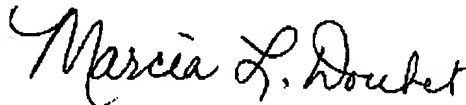
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dated March 5, 2004 and its auto-reply facsimile transmission receipt, (2) the auto-reply facsimile transmission receipt dated August 24, 2004, confirming resubmission of the original Amendment; and (3) the Response to Notice of Non-Compliant Amendment dated August 24, 2004 and its auto-reply facsimile transmission receipt

Applicants believe that this resubmission will fully resolve all outstanding issues. The Examiner is respectfully requested to notify the undersigned if additional information is required.

Respectfully submitted,



Marcia L. Doubet
Attorney for Applicants
Reg. No. 40,999

Correspondence Address: Cust. Nbr. 25260

Phone: 407-343-7586

Fax: 407-343-7587

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